IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1097 OF 2007

Mr.Brijbihari Shivdarshan Shukla ..Applicant.

Versus

The State of Maharashtra ...Respondent.

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Mr.Dnyaneshwar Deshmukh, Adv. for the Applicant.
Mr.K.V.Saste, APP, for the State.

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CORAM : SMT.V.K.TAHILRAMANI,J.

DATED : 12th April, 2007.

P.C.:

1. Heard the learned Advocate for the Applicant and the learned APP for the State.

2. The applicant is seeking bail in C.R.No.I-237 of 2005 of Ulhasnagar Police Station, District - Thane. The said case is under Section 307 of IPC.

3. The role attributed to the applicant is that he tried to assault the complainant Satish with sword on the head. At that time, the complainant put out his hand and obstructed the said blow. However, perusal of the medical

certificate show that there is no incised injury or any injury attributable to sword. So also the learned APP could not point out any injury on the hand of the complainant attributable to sword.

4. In this view of the matter, I am inclined to grant bail to the applicant.

5. The applicant Brijbihari Shivdarshan Shukla to be released on bail in the sum of Rs.25,000/- with one or two sureties to make up the said amount. The applicant shall not enter into Thane till conclusion of the trial, except for attending the trial Court in connection with the trial. Before being released on bail the applicant shall inform the officer of Ulhasnagar Police Station, District - Thane the address at which he will reside during the period that he is on bail. The applicant shall report to the nearest police station to that address, once in a week, till conclusion of the trial.

6. Application is disposed of accordingly.

(SMT.V.K.TAHILRAMANI,J.)